

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

APPLE INC.,

Plaintiff,

v.

MASIMO CORPORATION and
SOUND UNITED, LLC,

Defendants.

APPLE INC.,

Plaintiff,

v.

MASIMO CORPORATION and
SOUND UNITED, LLC,

Defendants.

C.A. No. 22-1377-MN-JLH

C.A. No. 22-1378-MN-JLH

[PROPOSED] ORDER

At Wilmington, this _____ day of _____, 2023, the Court having considered the parties' Joint Motion for Conference to Resolve Discovery Disputes (C.A. 22-1377, D.I. 193 (as corrected); C.A. 22-1378, D.I. 196 (as corrected)) and the papers submitted in connection therewith;

IT IS HEREBY ORDERED that (1) Apple shall respond fully to Masimo's Interrogatory No. 3 within three business days of this order and (2) by August 10, 2023, any party opting to waive privilege on any issue currently in the case (regardless of the waiver's scope) must (A) serve a notice identifying the issues for which it is waiving privilege and its proposed scope of waiver, (B) produce all materials the waiving party contends fall within the scope of the waiver and supplement all discovery disclosures, including interrogatory responses, to include the information the waiving party contends falls within the scope of the waiver, and (C) serve a privilege log identifying any other materials the party is withholding that relate to the subject matter of the advice or work product that is the subject of the waiver.

The Honorable Jennifer L. Hall
United States Magistrate Judge